

### **71-2-1. Memorials by cities and towns.**

The boards of city commissioners, city councils and town boards, respectively, may appropriate from any fund of the city or town available for general purposes such sums as they may deem expedient for the purpose of erecting or contributing to the erection of, a memorial to commemorate the achievements of soldiers, sailors and marines of the state of Utah in the Great World War, where such memorial is erected within their respective cities or towns. The city commissioners, city council or town board may, when authorized by the qualified electors of such city or town, issue general obligation bonds of such city or town and devote the proceeds of the same to the erection of such memorial.

No Change Since 1953

### **71-2-2. Memorials by counties.**

(1) The county legislative body of the several counties may erect and maintain, appropriate money for, and contribute to the erection and maintenance of, memorials to the memory of veterans of the several wars in which the United States of America participated.

(2) Memorials may be in the form of grave adornments, public buildings, monuments, recreational areas and facilities, parks, and public places; provided, that no county legislative body may erect and maintain, assist in, or contribute to, the erection or maintenance of any memorial which is outside of the boundaries of the county.

Amended by Chapter 30, 2001 General Session

### **71-2-3. County tax for memorials.**

For the raising of funds with which to carry out the provisions of the next preceding section, and for such use only, the county legislative body may levy and collect an annual tax upon the property situate within the county.

Amended by Chapter 227, 1993 General Session

### **71-3-1. Use of armories by veterans' organizations permitted.**

Any federally chartered veterans' organization shall have the right to the free use of armories owned or leased by the state; provided that the use does not interfere with the use of the armories by the national guard or organized militia of this state.

Amended by Chapter 162, 2002 General Session

### **71-7-1. Veterans not to be buried in ground used for paupers.**

The body of a person who dies while in the military service of the United States of America during any period of war, police action, or other period of national emergency, or the body of any veteran of the military service of the United States of America who served during any war, police action, or other period of national emergency, shall not be buried in any portion of any cemetery or burial ground used for

the burial of paupers.

Enacted by Chapter 21, 1961 General Session

**71-7-2. Political subdivisions may provide proper burial sites.**

For the purpose of giving effect to this act, cities, towns, counties or other political subdivisions of the state of Utah may grant burial sites to chartered veterans' organizations without financial consideration therefor, or may provide a proper site for the burial of any persons covered by this act without financial consideration.

Enacted by Chapter 21, 1961 General Session

**71-7-3. Development, operation, and maintenance of Utah Veterans' Cemetery and Memorial Park -- Responsibilities of Department of Veterans' and Military Affairs -- Costs -- Definition.**

(1) The Department of Veterans' and Military Affairs, in consultation with the Veterans' Memorial Park Board, shall develop, operate, and maintain a veterans' cemetery and memorial park.

(2) To help pay the costs of developing, constructing, operating, and maintaining a veterans' cemetery and memorial park, the Department of Veterans' and Military Affairs may:

(a) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures, receive federal funds, and may receive state funds, contributions from veterans' organizations, and other private donations; and

(b) charge fees for at least the cost of the burial of veterans' spouses and other persons, whom the department and the Veterans' Memorial Park Board determines are eligible to be buried in a veterans' cemetery established by the state.

(3) As used in this chapter, "veteran" has the same meaning as in Section 71-8-1.

Amended by Chapter 214, 2013 General Session

**71-7-4. Veterans' Memorial Park Board -- Members -- Appointment -- Meetings -- Per diem and travel expenses.**

(1) There is created a Veterans' Memorial Park Board to serve as an advisory body to the Department of Veterans' and Military Affairs on matters relating to the establishment and operation of a veterans' cemetery and memorial park.

(2) The board shall consist of the following five members:

(a) one representative recommended by the state commander of the Veterans of Foreign Wars;

(b) one representative recommended by the state commander of the American Legion;

(c) one representative recommended by the state commander of the Disabled American Veterans;

(d) the director of the Department of Veterans' and Military Affairs; and

(e) one person not affiliated with any of the organizations referred to in this

Subsection (2).

(3) (a) Except as required by Subsection (3)(b), the governor shall appoint members in Subsections (2)(a), (b), (c), and (e) above for four-year terms. The governor shall make final appointments to the board by June 30 of any year in which appointments are to be made under this chapter.

(b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.

(c) All members shall serve until their successors are appointed.

(d) Members may not serve more than two consecutive terms.

(4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the original appointment.

(5) (a) The board shall select a chair annually from among its members at its first meeting after July 1.

(b) Three members of the board constitute a quorum to transact business.

(c) The board shall meet at least quarterly on a regular date fixed by the board.

(d) The chair or three members of the board may call additional meetings.

(6) The board shall provide copies of all minutes and an annual report of its activities by June 30 of each year to the Veterans' Advisory Council created in Section 71-8-4.

(7) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 214, 2013 General Session

**71-7-5. Veterans Remains Organization -- Funeral service establishments -- Liability -- State agency -- Responsibilities.**

(1) As used in this section:

(a) "Remains facility" means the same as a funeral service establishment defined in Section 58-9-102.

(b) "Status information" means a veteran or a veteran's dependent's name, date of birth, place of birth, date of death, Social Security number, military service number, branch of service, and military rank on date of death.

(c) "Veterans Remains Organization" means an entity recognized and authorized by the United States Veterans Administration and the National Personnel Records Center to verify and inter the unclaimed cremated remains of United States military veterans or veterans' dependents.

(2) A veterans remains organization may contact a remains facility for the purpose of identifying any unclaimed cremated remains of a military veteran or a veteran's dependent.

- (a) Upon contact with the remains facility, the organization shall:
  - (i) provide identifying documentation to the remains facility; and
  - (ii) with the permission of the remains facility, inventory any unclaimed cremated remains in order to identify any remains of a veteran or a veteran's dependent.
- (b) The organization shall contact the National Personnel Records Center to determine if any of the unclaimed cremated remains are:
  - (i) a veteran's or a veteran's dependent's remains; and
  - (ii) eligible for interment benefits.
- (c) The organization shall claim any unclaimed cremated remains from a remains facility upon providing the facility with proof that the remains are those of a veteran or a veteran's dependent and are eligible for interment benefits.
- (d) The organization shall make arrangements to inter the remains.
- (3) A remains facility:
  - (a) may allow a veterans remains organization, upon presentation of identification, to inventory unclaimed cremated remains;
  - (b) shall provide all status information in the remains facility's possession to a veterans remains organization;
  - (c) shall release any unclaimed cremated remains to a veterans remains organization upon presentation of documentation that the remains are of a veteran or a veteran's dependent who is eligible for burial in a state or national cemetery; and
  - (d) is not subject to civil liability for release of status information or release of the unclaimed cremated remains following the presentation of documentation indicating the remains are those of a veteran or a veteran's dependent and eligible for interment benefits.
- (4) The Utah Department of Veteran's Affairs shall, upon presentation of documentation that certain cremated remains in the possession of a veterans remains organization are those of a veteran or a veteran's dependent and eligible for interment benefits:
  - (a) authorize the interment of the cremated remains in a state veterans' cemetery; and
  - (b) provide assistance to the veterans remains organization in the interment process.

Enacted by Chapter 422, 2013 General Session

#### **71-8-1. Definitions.**

As used in this chapter:

- (1) "Contractor" means a person who is or may be awarded a government entity contract.
- (2) "Council" means the Veterans' Advisory Council.
- (3) "Department" means the Department of Veterans' and Military Affairs.
- (4) "Executive director" means the executive director of the Department of Veterans' Affairs.
- (5) "Government entity" means the state and any county, municipality, local district, special service district, and any other political subdivision or administrative unit of the state, including state institutions of education.

(6) "Specialist" means a full-time employee of a government entity who is tasked with responding to, and assisting, veterans who are employed by the entity or come to the entity for assistance.

(7) "Veteran" means:

(a) an individual who has served on active duty in the armed forces for at least 180 consecutive days or was a member of a reserve component, and who has been separated or retired under honorable or general conditions; or

(b) any individual incurring an actual service-related injury or disability in the line of duty whether or not that person completed 180 days of active duty.

Amended by Chapter 85, 2014 General Session

**71-8-2. Department of Veterans' and Military Affairs created -- Appointment of executive director -- Department responsibilities.**

(1) There is created the Department of Veterans' and Military Affairs.

(2) The governor shall appoint an executive director for the department, after consultation with the Veterans' Advisory Council, who is subject to Senate confirmation.

(a) The executive director shall be a veteran.

(b) Any veteran or veteran's group may submit names to the council for consideration.

(3) The department shall:

(a) conduct and supervise all veteran activities as provided in this title; and

(b) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to carry out the provisions of this title.

Amended by Chapter 214, 2013 General Session

**71-8-3. Duties of executive director -- Services to veterans.**

The executive director shall:

(1) be responsible for the administration and the operation or support of the following veteran-related operations:

(a) Utah State Veterans' Nursing Homes and Programs;

(b) Utah State Veterans' Cemetery and Memorial Park;

(c) Title 71, Chapter 10, Veteran's Preference;

(d) any locally or federally funded programs for homeless veterans within the state; and

(e) any federally funded education services for veterans within the state;

(2) maintain liaison with local, state, and federal veterans' agencies and with Utah veterans' organizations;

(3) provide current information so that veterans, their surviving spouses and family members, and Utah veterans' organizations will be aware of benefits to which they are, or may become, entitled;

(4) reach out and assist veterans and their families in applying for benefits and services;

(5) develop and maintain a system for determining how many veterans are employed by the various government entities within the state and keeping track of them;

(6) cooperate with other state entities in the receipt of information to create and maintain a record of veterans in Utah;

(7) create and administer a veterans' assistance registry, with recommendations from the council, that will provide contact information to the qualified donors of materials and labor for certain qualified recipients;

(8) prepare an annual report for presentation not later than November 30 of each year to the Government Operations Interim Committee, which includes:

(a) all services provided to veterans;

(b) all services provided by third parties through the Veterans' Assistance Registry; and

(c) the coordination of veterans' services by government entities with the department;

(9) advise the governor on matters pertaining to military affairs throughout Utah, including active duty servicemembers, reserve duty servicemembers, and veterans;

(10) identify military-related issues, challenges, and opportunities, and develop plans for addressing them;

(11) develop, coordinate, and maintain relationships with military leaders of Utah military installations, including the Utah National Guard;

(12) develop, coordinate, and maintain relationships with Utah's congressional delegation and military staffers;

(13) develop and maintain relationships with military-related organizations in Utah;

(14) conduct forums and meetings with stakeholders to identify military issues and challenges and to develop solutions to them; and

(15) perform other related duties as requested by the governor.

Amended by Chapter 91, 2014 General Session

**71-8-4. Veterans' Advisory Council -- Membership -- Duties and responsibilities -- Per diem and travel expenses.**

(1) There is created a Veterans' Advisory Council whose purpose is to advise the executive director of the Department of Veterans' and Military Affairs on issues relating to veterans.

(2) The council shall consist of the following 14 members:

(a) 11 voting members to serve four-year terms:

(i) seven veterans at large appointed by the governor;

(ii) the commander or the commander's designee, whose terms shall last for as long as they hold that office, from each of the following organizations:

(A) Veterans of Foreign Wars;

(B) American Legion; and

(C) Disabled American Veterans; and

(iii) a representative from the Office of the Governor; and

(b) three nonvoting members:

(i) the executive director of the Department of Veterans' and Military Affairs;

(ii) the director of the VA Health Care System or his designee; and

(iii) the director of the VA Benefits Administration Regional Office in Salt Lake

City, or his designee.

(3) (a) Except as required by Subsection (3)(b), as terms of current council members expire, the governor shall appoint each new or reappointed member to a four-year term commencing on July 1.

(b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of council members are staggered so that approximately half of the members appointed by the governor are appointed every two years.

(4) When a vacancy occurs in the membership for any reason, the governor shall appoint a replacement for the unexpired term within 60 days of receiving notice.

(5) Members appointed by the governor may not serve more than three consecutive terms.

(6) (a) Any veterans' group or veteran may provide the executive director with a list of recommendations for members on the council.

(b) The executive director shall provide the governor with the list of recommendations for members to be appointed to the council.

(c) The governor shall make final appointments to the council by June 30 of any year in which appointments are to be made under this chapter.

(7) The council shall elect a chair and vice chair from among the council members every two years. The chair and vice chair shall be veterans.

(8) (a) The council shall meet at least once every quarter.

(b) The executive director of the Department of Veterans' and Military Affairs may convene additional meetings, as necessary.

(9) The department shall provide staff to the council.

(10) Six voting members are a quorum for the transaction of business.

(11) The council shall:

(a) solicit input concerning veterans issues from veterans' groups throughout the state;

(b) report issues received to the executive director of the Department of Veterans' and Military Affairs and make recommendations concerning them;

(c) keep abreast of federal developments that affect veterans locally and advise the executive director of them;

(d) approve, by a majority vote, the use of money generated from veterans' license plates under Section 41-1a-422 for veterans' programs; and

(e) assist the director in developing guidelines and qualifications for:

(i) participation by donors and recipients in the Veterans' Assistance Registry created in Section 71-12-101; and

(ii) developing a process for providing contact information between qualified donors and recipients.

(12) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 91, 2014 General Session

**71-8-5. Veterans' services coordinator qualifications -- Duties.**

- (1) The veterans' services coordinator shall:
  - (a) be a veteran;
  - (b) have the education and experience in the use of computer technology, including databases, to collect, manage, and store information; and
  - (c) have some education and experience in public relations.
- (2) The veterans' services coordinator shall be responsible to:
  - (a) identify all government entities that provide services for veterans;
  - (b) develop a process for coordination of veterans' services across all government entities; and
  - (c) develop and provide training for veterans' affairs specialists on the coordination of veterans' services with the department.

Enacted by Chapter 308, 2013 General Session

**71-8-6. Government entity participation.**

- (1) This section applies to:
  - (a) the Department of Human Services;
  - (b) the institutions of higher education listed in Section 53B-1-102;
  - (c) the Division of Professional and Occupational Licensing;
  - (d) the Department of Public Safety;
  - (e) the Department of Workforce Services; and
  - (f) the Department of Health.
- (2) Each entity in Subsection (1) shall:
  - (a) assign a full-time employee, who preferably shall be a veteran, as a veterans' services specialist as part of their duties to coordinate the provision of veterans' services with the department; and
  - (b) provide the department with nonprotected or nonprivate information about services provided to veterans.
- (3) Each entity shall post on the entity's website:
  - (a) all services available for veterans from the entity and the contact information for the veterans' services specialist; and
  - (b) a link to the department with the contact information for the veterans' services coordinator.

Enacted by Chapter 308, 2013 General Session

**71-8-7. Government entity veterans' affairs specialist -- Duties -- Training.**

- (1) Each government entity listed in Section 71-8-6 shall appoint or designate a full-time employee as a veterans' affairs specialist.
- (2) The veterans' affairs specialist shall:
  - (a) coordinate the provision of veterans' services by the government entity with the department; and
  - (b) attend annual training by the department on coordination processes



including providing nonprotected or nonprivate information to the department.

Enacted by Chapter 308, 2013 General Session

**71-8-8. Entity that provides no services -- Referral to department.**

A government entity that does not provide services to veterans shall, upon a request for services by a veteran, direct the veteran to contact the department, and provide the veteran with the department contact information.

Enacted by Chapter 308, 2013 General Session

**71-9-1. Contract to provide assistance to veterans and their widows and children.**

The Department of Veterans' and Military Affairs is authorized to contract with the American Legion, the Disabled American Veterans, and the Veterans of Foreign Wars of the United States, as organized in this state, to provide, especially in the outlying areas of the state, assistance to veterans, their widows, and children as follows:

(1) to disseminate information regarding all laws applicable to veterans, their widows, and children in the preparation, presentation, and prosecution of claims against the United States arising by reason of service in the military, naval, or air services;

(2) to assist veterans, their widows, and children in the establishment of all rights and the procurement of all benefits which may accrue to them under the laws of this state or of the United States;

(3) to cooperate with any and all agencies and instrumentalities of this state or of the United States having to do with the employment or reemployment of veterans;

(4) to cooperate with any and all agencies and instrumentalities of this state or of the United States and make a representative and information available on a rotating basis in the outlying areas of the state;

(5) to assist veterans in obtaining such preference for employment as may be authorized by the laws of this state or of the United States; and

(6) to assist veterans, their widows, and children in obtaining emergency relief, and to that end cooperate with such agencies and instrumentalities of this state or of the United States as have been or may be established for the purpose of extending emergency relief.

Amended by Chapter 214, 2013 General Session

**71-9-2. Contracts subject to appropriation of funds.**

Any contract entered into under Section 71-9-1 shall expressly state that it is subject to the appropriation of sufficient funds by the Legislature to carry out its terms and that the decision of the executive director of the Department of Veterans' and Military Affairs as to whether an appropriation is sufficient to carry out the terms of the contract is conclusive.

Amended by Chapter 214, 2013 General Session

**71-9-5. Attorney general to represent state concerning contracts.**

The attorney general shall represent the state in all proceedings involving any contract entered into under section 71-9-1, and shall render any legal assistance necessary in carrying out the provisions of that section.

Enacted by Chapter 282, 1981 General Session

**71-10-1. Definitions.**

As used in this chapter:

(1) "Active duty" means active military duty and does not include active duty for training, initial active duty for training, or inactive duty for training.

(2) "Government entity" means the state, any county, municipality, local district, special service district, or any other political subdivision or administrative unit of the state, including state institutions of education.

(3) "Preference eligible" means:

(a) any individual who has served on active duty in the armed forces for more than 180 consecutive days, or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated under honorable conditions;

(b) a veteran with a disability, regardless of the percentage of disability;

(c) the spouse or unmarried widow or widower of a veteran;

(d) a purple heart recipient; or

(e) a retired member of the armed forces.

(4) "Veteran" means:

(a) an individual who has served on active duty in the armed forces for more than 180 consecutive days, or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated or retired under honorable conditions; or

(b) any individual incurring an actual service-related injury or disability in the line of duty whether or not that person completed 180 consecutive days of active duty.

(5) "Veteran with a disability" means an individual who has:

(a) been separated or retired from the armed forces under honorable conditions; and

(b) established the existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the federal Department of Veterans Affairs or a military department.

Amended by Chapter 137, 2014 General Session

**71-10-2. Veteran's preference.**

(1) Each government entity shall grant a veteran's preference upon initial hiring to each preference eligible veteran or preference eligible spouse according to the procedures and requirements of this chapter.

(2) The personnel officer of any government entity shall add to the score of a preference eligible who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any career service position with

the government entity:

- (a) 5% of the total possible score, if the preference eligible is a veteran;
  - (b) 10% of the total possible score, if the preference eligible is a veteran with a disability or a purple heart recipient; or
  - (c) in the case of a preference eligible spouse, widow, or widower, the same percentage the qualifying veteran is, or would have been, entitled to.
- (3) A preference eligible who applies for a position that does not require an examination, or where examination results are other than a numeric score, shall be given preference in interviewing and hiring for the position.

Amended by Chapter 366, 2011 General Session

**71-10-3. Willful failure to give preference a misdemeanor.**

Any officers, agents, or representatives of a government entity who is charged with employment of people and who willfully fails to give preference as provided in this chapter is guilty of a misdemeanor.

Amended by Chapter 133, 1993 General Session

**71-11-1. Title.**

This chapter shall be known as the "Utah Veterans' Nursing Home Act."

Amended by Chapter 134, 2000 General Session

**71-11-2. Definitions.**

As used in this chapter:

- (1) "Administrator" means a Veterans' Nursing Home Administrator selected in accordance with Section 71-11-5.
- (2) "Board" means any Veterans' Nursing Home Advisory Board.
- (3) "Department" means the Department of Veterans' and Military Affairs created in Section 71-8-2.
- (4) "Executive director" means the executive director of the Department of Veterans' and Military Affairs.
- (5) "Home" means any Utah Veterans' Nursing Home.
- (6) "Veteran" is as defined in Subsection 71-10-1(4).

Amended by Chapter 214, 2013 General Session

**71-11-3. Establishment and construction -- Compliance with federal requirements.**

- (1) The department shall administer veterans' nursing homes established by the Legislature.
- (2) Each home shall:
  - (a) have at least an 80-bed capacity;
  - (b) be designed and constructed consistent with the requirements for federal funding under 38 U.S.C. Sec. 8131 et seq.; and

(c) be operated consistent with the requirements for per diem payments from the United States Department of Veterans Affairs under 38 U.S.C. Sec. 1741 et seq.

Amended by Chapter 173, 2007 General Session

**71-11-4. Administration by department.**

The department shall supervise and operate each veterans' nursing home.

Amended by Chapter 173, 2007 General Session

**71-11-5. Operation of homes -- Rulemaking authority -- Selection of administrator.**

(1) The department shall, subject to the approval of the executive director:

(a) establish appropriate criteria for the admission and discharge of residents for each home, subject to the requirements in Section 71-11-6 and criteria set by the U.S. Department of Veterans' Affairs;

(b) establish a schedule of charges for each home in cases where residents have available resources;

(c) establish standards for the operation of the homes not inconsistent with standards set by the United States Department of Veterans Affairs;

(d) make rules to implement this chapter in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

(e) ensure that the homes are licensed in accordance with Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, and 38 U.S.C. Sec. 1742(a).

(2) The department shall, after reviewing recommendations of the board, appoint an administrator for each home.

Amended by Chapter 382, 2008 General Session

**71-11-6. Eligibility -- Admission requirements.**

(1) Application for admission shall be made separately to each nursing home administrator.

(2) Veterans and their spouses or surviving spouses who are residents of Utah and in need of nursing home care may be admitted to any home.

(3) Preference shall be given to veterans who are without adequate means of support and unable, due to wounds, disease, old age, or infirmity, to properly maintain themselves.

Amended by Chapter 7, 2005 Special Session 1

**71-11-7. Veterans' Nursing Home Advisory Boards.**

(1) (a) Each home shall have a Veterans' Nursing Home Advisory Board to act as a liaison between the residents, members of the public, and the administration of the home.

(b) The board shall interview candidates for the position of nursing home administrator and make a recommendation to the department.

- (2) Each board shall consist of the following seven members:
  - (a) one resident of the home appointed by the governor;
  - (b) two members of the Veterans' Advisory Council, designated by the governor, one of which shall specifically be designated as the board's representative to the council;
  - (c) one veteran from the area in which the home is located appointed by the governor;
  - (d) one representative from the VA Health Care System, appointed by its director;
  - (e) one representative from the Department of Health, appointed by its executive director; and
  - (f) one representative from the United States Department of Veterans Affairs regional office.
- (3) (a) (i) Members shall serve for four-year terms.
  - (ii) Except as required by Subsection (3)(b), as terms of current board members expire, the governor shall appoint each new or reappointed member to a four-year term beginning on July 1.
- (b) The governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
- (c) The governor shall make final appointments to the board by June 30 of any year in which appointments are to be made under this chapter.
- (4) Vacancies shall be filled by the governor within 60 days of receiving notice of a vacancy, but only for the unexpired term of the vacated member.
- (5) (a) Except as provided in Subsection (5)(b), members may not serve more than two consecutive terms.
  - (b) Members appointed by the VA Health Care System and the United States Department of Veterans Affairs are exempt from the term limit requirement.
- (6) Each board shall elect a chair annually from among its members at its first meeting after July 1.
- (7) Each board shall meet at least quarterly.
- (8) Four members of the board constitute a quorum for the transaction of business.
- (9) Each board shall provide copies of all minutes and an annual report of its activities by June 30 of each year to the executive director of the Department of Veterans' and Military Affairs, and the Veterans' Advisory Council.
- (10) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 214, 2013 General Session

**71-11-8. Utah Veterans' Nursing Home Fund.**

(1) There is created an expendable special revenue fund entitled the "Utah Veterans' Nursing Home Fund" to be administered by the department for the benefit of each home and its residents.

(2) All cash donations, gifts, or bequests shall be deposited in the fund and used according to the wishes of the donor.

(3) All funds received by the homes from federal or state agencies, individual insurance reimbursement, or cash payments shall be deposited in the fund.

(4) Funds received that are designated for a specific home shall be accounted for separately within the fund.

Amended by Chapter 400, 2013 General Session

**71-11-9. Disposition of deceased resident's property.**

(1) (a) All money or other personal property of a resident held by a home that is left on the premises of the home shall, upon the death of the resident, be held in trust to be paid or delivered to the spouse, children, grandchildren, or parent of the resident upon the presentation of proof of relationship.

(b) Any funds of a deceased resident may be disbursed for the payment of funeral expenses or any obligation owed to the home.

(2) Property owned by a deceased resident of the home who dies without heirs or next-of-kin not disposed of by will shall become the property of the home and deposited in the fund, subject to the right of any heir to reclaim the property within five years after the resident's death upon the presentation of proof of relationship.

Amended by Chapter 7, 2005 Special Session 1

**71-11-10. Hobby promotion -- Sales of articles manufactured by residents -- Proceeds to residents.**

(1) Each home shall promote hobbies designed to improve the general welfare and mental condition of the residents.

(2) The home may provide limited funds to initiate a hobby program, but shall limit the program to those hobbies that, in its judgment, will be self sustaining.

(3) The department may enter into contracts with federal or state agencies or private concerns for the receipt of articles manufactured by residents of the homes.

(4) Proceeds generated by hobbies shall be used to pay for materials. Any excess proceeds shall be paid to the individual veterans who produced the articles.

Amended by Chapter 173, 2007 General Session

**71-12-101. Title.**

This chapter is known as the "Veterans' Assistance Registry."

Enacted by Chapter 91, 2014 General Session

**71-12-102. Definitions.**

As used in this chapter:

(1) "Council" means the Veterans' Advisory Council as created in Section 71-8-4.

(2) "Department" means the Department of Veterans' and Military Affairs as created in Section 71-8-2.

(3) "Donor" means an individual or entity that provides material goods, services, or labor without charge to veterans in accordance with this chapter.

(4) "Recipient" means a veteran as defined in Section 71-8-1, or a veteran's dependent spouse and children.

Enacted by Chapter 91, 2014 General Session

**71-12-103. Veterans' Assistance Registry.**

(1) There is created within the department a Veterans' Assistance Registry.

(2) The intent of the registry is to provide contact information to qualified donors of material goods, services, and labor for qualified recipients in need of specific goods, services, or labor.

(3) The department shall, in consultation with the council:

(a) create a database of donors and recipients;

(b) develop an electronic link on the department's website to the database of donors and recipients;

(c) insure that information provided by donors and recipients is only used for the intended purpose as specified in Subsection (2) and not made public;

(d) provide instructions online for donors and recipients to use in registering for the registry;

(e) publicize through both local and nationwide veterans' service organizations and the United States Veterans' Administration the availability of the registry; and

(f) track usage of and report annually on the registry program in accordance with Section 71-8-3.

Enacted by Chapter 91, 2014 General Session

**71-12-104. Immunity for use of registry.**

A donor who provides material goods, services, or labor for registry recipients is considered to be acting on behalf of the department in accordance with the provisions of Title 63G, Chapter 8, Part 2, Immunity for Voluntary Services.

Enacted by Chapter 91, 2014 General Session